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09/981,653	10/18/2001	David K. Howington	M-12592 US (59385-014)	7566

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EXAMINER

LAstra, DANIEL

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,653

Applicant(s)

HOWINGTON, DAVID K.

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 and 9-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 and 9-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 7 and 9-31 have been examined. Application 09/981,653 (SYSTEM AND METHOD FOR CASINO MANAGEMENT) has a filing date 10/18/2001 and Claims Priority from Provisional Application 60241326 (10/18/2000).

Response to Amendment

2. In response to Non Final Rejection filed 05/09/2006, the Applicant filed an Amendment on 09/11/2006, which amended claims 7, 9, 16, 17, 19, 20, 26 and cancel claims 8, 37-43. Applicant's amendment overcame the claim objections.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 recites "entering the machine identifier into the database generates a report identifying machines that correspond with the machine identifier". Said limitation is indefinite because according to Applicant's specification, a machine identifier is unique number provided for every gaming machine (see Applicant's specification page 9), however, the previous limitation seems to say that said machine identifier is not unique as a plurality of machines are identified with the same machine number. For purpose of art rejection, said limitation would be interpreted as entering the machine identifier and generating a report identifying the machine that correspond to said machine identifier.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9-23 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Invention in view Blad (US 2001/0048374) and further in view of Moore (US 7,084,737).

As per claim 7, Applicant's Background of the Invention teaches:

A casino management method for tracking history of gaming machines and casino locations *using a computer system*, comprising the steps of:

assigning a respective location identifier to each location within a casino (see Applicant's background page 2, paragraph 1); associating a respective machine placard, *having a placard identifier*, with each machine within the casino (see Applicant's background page 3, paragraph 2);

tracking a history of the correlation between location, placard as machines and placards are moved within the casino (see Applicant's background page 3, paragraph 2) but fails to teach that said tracking is done using a machine identifiers; associating a respective machine identifier with each machine within the casino; *storing the location identifier, placard identifier, and machine identifier in a database and generating a report*

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based on the tracked history in the database, the report organized according to any of the location identifier, the placard identifier, and the machine identifier, such that entering the location identifier into the database generates a report identifying machines that have been located at the location corresponding to the location identifier entering the placard identifier into the database generates a report identifying machines that have been associated with the placard identifier, and entering the machine identifier into the database generates a report identifying machines that correspond with the machine identifier. However, Blad teaches a system that monitors the performance of vending machines using said vending machines' unique identifiers, where said system allows users to access a webpage to track the performance of said vending machines and also generates reports from said tracking (see Blad paragraphs 40, 42 and 49). Moore teaches a system that determines the geographic location of vending machines using said vending machines' unique identifiers (see Moore col 7, lines 60-67; col 4, lines 49-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that users would be motivated to use an unique machine identifier, instead of a placard identifier, to track the performance and location of vending machines, as said machine are moved frequently in a location, as taught by Blad and Moore in order to resolve the problem created when placards are replaced when vending machines are moved from one location to another location, as taught by Applicant's background. Users would be motivated to access a webpage (see Blad paragraph 48) in order to query and manipulate vending machine performance data and generate a report based upon said manipulation (see Blad paragraph 49).

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As per claim 9, Applicant's Background of the Invention teaches:

The method according to claim 7, but fails to teach wherein the report simultaneously display historical data organized according to location identifier, placard identifier and machine identifier. However, the same rejection made in claim 7 regarding this missing limitation is also made in claim 9.

As per claim 10, Applicant's Background of the Invention teaches:

The method according to claim 7, further comprising the step of:
acquiring respective performance data associated with each machine within the casino (see Applicant's background page 2).

As per claim 11, Applicant's Background of the Invention teaches:

The method according to claim 10, further comprising the step of
determining and reporting a historical performance of different gaming machines at a particular location in the casino (see Applicant's background page 2).

As per claim 12, Applicant's Background of the Invention teaches:

The method according to claim 11, further comprising the steps of organizing locations within a casino into one or more zones and determining and reporting a historical performance of a particular zone within the casino (see Applicant's background page 2).

As per claim 13, Applicant's Background of the Invention:

The method according to claim 10, further comprising the step of
determining and reporting a historical performance of a particular gaming machine at different locations in the casino (see Applicant's background page 2).

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As per claim 14, Applicant's Background of the Invention:

The method according to claim 10, further comprising the step of determining and reporting a historical performance of different machines associated with a particular placard identifier (see Applicant's background page 3).

As per claim 15, Applicant's Background of the Invention:

The method according to claim 10, but fails to teach wherein performance data includes one or more of coin in, jackpot, win/loss, par% and act%. However, Blad teaches a system that monitors performance data such as coin in of gaming machines (see Blad paragraph 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the gaming machine tracking method taught by Applicant's background would monitor performance data as coin in, as taught by Blad, in order to track the performance of particular machines with respect to the location of said machines.

As per claim 16, Applicant's Background of the Invention teaches:

A casino management method, *using a computer system and a database*, that tracks history of a plurality of gaming machines and casino locations, comprising the steps of:

tracking a respective first history of each gaming machine in a casino, each said first history including changes in location of the machine within the casino and machine performance (see Applicant's background page 2). Applicant's background fails to teach tracking changes in machine configuration and tracking a respective history of each location within a casino, each said second history including a type of game at the

location, denomination of the game at the location, and information associated with the location, *wherein tracking a respective history of each location comprises entering a location identifier into the database to generate a report identifying machines that have been located at the location corresponding to the location identifier and exchanging placards among the plurality of gaming machines while maintaining tracking of the first and second histories, said placards comprising a unique placard associated with each of the gaming machines.* However, the same argument made in claim 7 in regard to this missing limitation is also made claim 16.

As per claim 17, Applicant's Background of the Invention teaches:

A casino management method, *using a computer system and a database*, for evaluating machine and location performances, comprising the steps of

evaluating a first performance of a first gaming machine at a first location (see Applicant's background pages 2-3; Applicant's background teaches the monitoring of particular machines);

evaluating a second performance of a second gaming machine at a second location (see Applicant's background pages 2-3). Applicant's background does not literally mentioned "a first performance of a first machine and a second performance of a second machine". However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the casino resort management system taught in Applicant's background of the invention would track the performance of a first or a second machine as said system already is tracking the performance of each particular machine in a casino.

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after relocation of the first gaming machine to the second location, evaluating a third performance of the first gaming machine at the second location (see Applicant's background page 3); and

comparing the first performance and the third performance in order to generate comparative performance data for the first gaming machine according to location within a casino (see Applicant's background page 3).

Applicant's Background fails to teach *entering a location identifier into the database to generate a report identifying machines that have been located at the location corresponding to the location identifier and their performance data*. However, the same rejection made in claim 19 with respect to this missing limitation is also made in claim 17.

As per claim 18, Applicant's background:

The method according to claim 17, further comprising the steps of
associating a respective location identifier with each location within the casino
(see Applicant's background page 2);

associating a respective placard identifier with each gaming machine within the casino (see Applicant's background page 3); and

using the location identifiers and the placard identifiers associated with the first and second gaming machines and the first and second locations when tracking said first, second and third performances (see Applicant's background page 3). Applicant's background fails to teach using machine identifiers for said tracking. However, the same argument made in claim 7 with respect said missing limitation is also made in claim 18.

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As per claim 19, Applicant's background teaches:

A casino management method, *using a computer system and a database*, for evaluating performance of different gaming machines and locations within a casino, comprising the steps of:

associating a respective placard identifier with each of a plurality of gaming machines within the casino (see Applicant's background page 3).

tracking a relationship between a particular gaming machine and a particular location based on the location identifiers and the placard identifiers (see Applicant's background page 3).

placing a first gaming machine in a plurality of different locations within the casino (see Applicant's background page 3);

evaluating a respective performance of the first gaming machine at each of the plurality of different locations (see Applicant's background page 3); and

locating the first game machine in the casino based on the respective performances (see Applicant's background page 2).

Background fails to teach tracking using a respective machine identifier; associating a respective location identifier with each of a plurality of locations within the casino; *such that entering a location identifier into the database generates a report identifying machines that have been located at the location corresponding to the location identifier*. However, the same argument made in claim 7 regarding this missing limitation is also made in claim 19.

As per claims 20 and 26, Applicant's background teaches:

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A casino management method, *using a computer system and a database*, for evaluating performance of different gaming

machines and locations within a casino, comprising the steps of

associating a respective location identifier with each of a plurality of locations within the casino (see Applicant's background page 2);

associating a respective placard identifier with each of a plurality of gaming machines within the casino tracking a relationship between a particular gaming machine and a particular location based on the location identifiers and the placard identifiers (see Applicant's background page 3).

tracking respective additional information about each of different gaming machines at a particular location (see Applicant's background page 3); and

generating a report providing a comparison of the respective additional information (see Applicant's background page 3).

Background fails to teach using a machine identifier and *such that entering a location identifier into the database generates a report identifying machines that have been located at the location corresponding to the location identifier*. However, the same rejection made in claim 19 with respect to this missing limitation is also made in claim 20.

As per claim 21, Applicant's background teaches:

The method according to claim 20, wherein the respective additional information relates to revisions of the different gaming machines (see Applicant's background page 3).

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As per claims 22 and 28, Applicant's background fails to teach:

The method according to claim 21, wherein revisions include one or more of location movements, glass changes, software changes, peripheral additions and changes, location in/out of service changes, gaming machine in/out of service changes, maintenance changes, and alarm conditions. However, Moore teaches revising a vending machine location movement (see Moore col 7, lines 60-67). Therefore, the same argument made in claim 1 that Moore, Blad and Background teach Applicant's claimed invention is also made in claim 22.

As per claims 23 and 29, Applicant's background teaches:

The method according to claim 20, wherein the respective additional information relates to gaming machine characteristics and player characteristics (see Applicant's background page 2; "heavier traffic").

As per claim 27, Applicant's background teaches:

The method according to claim 26, teach wherein the respective additional information relates to revisions of the different gaming machines (see Applicant's background page 3).

5. Claims 24, 25, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Invention in view Blad (US 2001/0048374) and further in view of Moore (US 7,084,737) and the article International Game Technology (Dialogue File 545; Ref# 00850047).

As per claims 24 and 30, Applicant's background teaches:

The method according to claim 23, wherein:

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gaming machine characteristics includes one or more of game type, game denomination, and game location (see Applicant's background page 3) but fails to teach that player characteristics includes one or more of group, age, sex, status and club level. However, the article International Game Technology (Dialogue File 545; Ref# 00850047) teaches a proprietary software that automates data collection in casinos including player characteristics (i.e. player's level of play; see paragraph 5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Brad and Moore would use the system taught by International Game Technology to track players performance in particular machines and would use said tracking to determine the performance of said machines. This feature would help casinos better manage their game machines for the purpose of maximizing profits from said machines.

As per claims 25 and 31, Applicant's background teaches:

The method according to claim 20, but fails to teach wherein the respective additional information relates to different patron playing performance in a predetermined time frame. However, the same argument made in claim 24 regarding said missing limitation is also made in claim 25.

Response to Arguments

6. Applicant's arguments with respect to claims 7 and 9-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

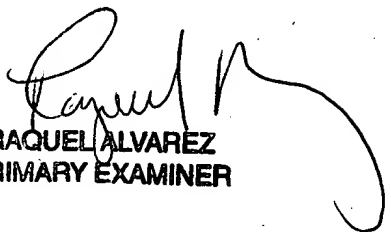
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Right fax number is 571-273-6720.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra
November 18, 2006


RAQUEL ALVAREZ
PRIMARY EXAMINER